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OFFICE OF PETITIONS PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/784,829

Filing Date: February 8, 2001

Applicant:
Joël Henrion
Michel Scriban
Jean-Baptiste Thiebaut
Jean-Francois Uhl

Group Art Unit: 3736

Examiner: Petitions Attorney Cliff Congo

Title: INTERACTIVE SYSTEM FOR LOCAL
INTERVENTION INSIDE A NON-
HOMOGENEOUS STRUCTURE

Attorney Docket: 5074A-000013/REA

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**THIRD SUPPLEMENTAL RESPONSE TO NOTICE OF MISSING PARTS OF REISSUE
APPLICATION AND RESPONSE TO DECISION DISMISSING PETITION
UNDER 37 C.F.R. § 1.137(b)**

Pursuant to the "Notice to File Missing Parts of Reissue Application, Filing Date Granted," mailed March 28, 2001, and "Decision Dismissing Petition under 37 C.F.R. 1.137(b)" mailed May 15, 2003, Applicants hereby petition for acceptance of the enclosed Declaration And Power of Attorney executed by Joël Henrion which is in compliance with 37 C.F.R. 1.63. Please note that while Applicants believe the original Declaration And Power of Attorney executed by Mr. Henrion, and submitted on March 10, 2003, to be in compliance with 37 C.F.R. 1.63, a newly executed Declaration And Power of Attorney by Mr. Henrion is being submitted to expedite the petition process.

FILE COPY

Applicants have included with this response a copy of the Notice to File Missing Parts of Reissue Application along with a Fee Transmittal to cover the petition fee of \$130.00 for the "Renewed Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b)."

Previously filed to support the Petition Under 37 C.F.R. 1.137(b):

- (1) a required reply including executed declaration documents by all inventors;
- (2) the petition fee as set forth under 1.17(m); and
- (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

Please note that a terminal disclaimer as required by 37 C.F.R. 1.137(d) is not needed.

Applicants believe that all of the requirements of 37 C.F.R. 1.137(b) have been met. As such, a favorable holding is hereby requested.

Respectfully submitted,

Dated: June 26 - 2003
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

By: Christopher A. Eusebi,
Christopher A. Eusebi, Reg. No. 44,672

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HDP/SB/21 based on PTO/SB/21 (08-00)

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PATENT & TRADEMARKS

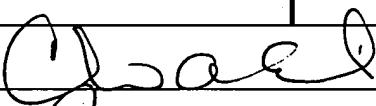
TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/784,829	JUL 01 2003
		Filing Date	February 8, 2001	OFFICE OF PETITIONS
		First Named Inventor	Joël Henrion, et al.	
		Group Art Unit	3736	
		Examiner Name	Petitions Attorney Cliff Congo	
Total Number of Pages in This Submission		Attorney Docket Number	5074A-000013/REA	

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Third Supplemental Response to Notice of Missing Parts of Reissue Application and Response to Decision Dismissing Petition Under 37 C.F.R. § 1.137(b) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input checked="" type="checkbox"/> Executed Reissue Application Declaration And Power of Attorney of Joël Henrion along with a copy of the amended patent of the reissue application <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Renewed Petition For Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): copy of Notice to File Missing Parts of Reissue Application mailed 3/28/01; and postcard
		Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Christopher A. Eusebi	Reg. No. 44,672
Signature			
Date	June 26 - 2003		

CERTIFICATE OF MAILING/TRANSMISSION

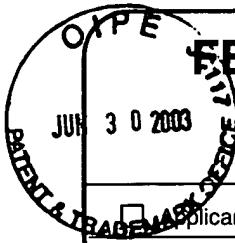
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name	Christopher A. Eusebi		
Signature		Date	June 26 - 2003

DCS

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEES TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete if Known

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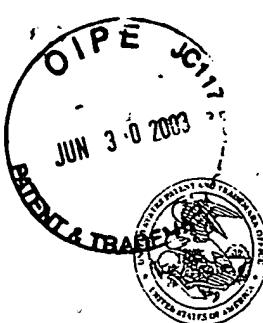
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ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>Fee Code</td> <td>Fee (\$)</td> <td>Fee Code</td> <td>Fee (\$)</td> <td colspan="2">Fee Description</td> <td>Fee Paid</td> </tr> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td colspan="2">Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td colspan="2">Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td colspan="2">Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td colspan="2">For filing a request for reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td colspan="2">Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td colspan="2">Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td colspan="2">Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>410</td> <td>2252</td> <td>205</td> <td colspan="2">Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>930</td> <td>2253</td> <td>465</td> <td colspan="2">Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,450</td> <td>2254</td> <td>725</td> <td colspan="2">Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>1,970</td> <td>2255</td> <td>985</td> <td colspan="2">Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>320</td> <td>2401</td> <td>160</td> <td colspan="2">Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>320</td> <td>2402</td> <td>160</td> <td colspan="2">Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>280</td> <td>2403</td> <td>140</td> <td colspan="2">Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td colspan="2">Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td colspan="2">Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>1,300</td> <td>2453</td> <td>650</td> <td colspan="2">Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>1,300</td> <td>2501</td> <td>650</td> <td colspan="2">Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>470</td> <td>2502</td> <td>235</td> <td colspan="2">Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>630</td> <td>2503</td> <td>315</td> <td colspan="2">Plant issue fee</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td colspan="2">Petitions to the Commissioner</td> <td>130</td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td colspan="2">Processing fee under 37 CFR 1.17 (q)</td> <td></td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td colspan="2">Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td colspan="2">Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809</td> <td>750</td> <td>2809</td> <td>375</td> <td colspan="2">Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>750</td> <td>2810</td> <td>375</td> <td colspan="2">For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>1801</td> <td>750</td> <td>2801</td> <td>375</td> <td colspan="2">Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td colspan="2">Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="3">SUBTOTAL (3) (\$ 130)</td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="3"></td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		Fee Paid	1051	130	2051	65	Surcharge - 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**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY						Complete if applicable	
Name (Print/Type)	Christopher A. Eusebi	Registration No. Attorney/Agent	44,672	Telephone	248 641-1600		
Signature				Date	June 26-2003		

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/784,829	02/08/2001	Joel Henrion	06148.0219-01

22852
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER LLP
1300 I STREET, NW
WASHINGTON, DC 20005

FORMALITIES LETTER



OC00000005910785

Date Mailed: 03/28/2001

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
 - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
 - Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).
- The balance due by applicant is \$130

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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